

**PRELIMINARY DRAFT
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REMARKS

I. Status of the Claims of Patent Application

There are 21 claims pending in the application comprising claims 1-2, 4-20, and 67-68. Of these claims, six are presented in independent form.

II. Summary of the Office Action

In the present Office Action, Claims 1-2, 4-11, 16-20, and 67-68 are rejected "under 35 U.S.C. §103(a) as being unpatentable over Jiang (hereinafter 'Jiang', 6,167,432) in view of Aras et al (hereinafter 'Aras', 5,867,653)." Id. at page 2. Claims 12-13, 15 are rejected "under 35 U.S.C. §103(a) as being unpatentable over Jiang in view of Aras and further in view of Sammon et al. (hereinafter 'Sammon', 6,563,914)." Id. at page 13. Finally, claim 14 is rejected "under 35 U.S.C. §103(a) as being unpatentable over Jiang in view of Aras and Sammon and further in view of Pinard et al (hereinafter 'Pinard', 5,940,834) " Id. at page 14

III. Examiner Interview

Applicant acknowledges the examiner interview, which was held via telephone, with Examiner Gregory Todd of November 1, 2004 Allan Fanucci and Pejman Sharifi, who are attorneys for the Applicant, and John E. MacCriskin, who is an expert for the Applicant, participated in the interview. Applicant appreciates the opportunity to discuss the final Office Action and the subject patent application. At the interview, agreement was reached with respect to the submission of a declaration in support of patentability and in turn, the allowability of the claims in view of the declaration. The substance of the discussions during the interview focused on the distinctions and nonobviousness of the present claims over the Jiang and Aras patents and were substantially in accordance with the comments presented herein.

IV. Request for Reconsideration

Applicant requests reconsideration of the rejections and further requests allowance of the application on the basis of the following remarks and the attached declaration

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V. Obviousness Rejections

In the Office Action, claims 1-2, 4-11, 16-20, and 67-68 are rejected as being obvious in view of the combination of Jiang and Aras. Claims 1-2, 4-11, and 16-20 are not obvious in view of the combination of Jiang and Aras at least because Jiang and Aras, neither individually or in combination, show or suggest all the features of claims 1-2, 4-11, 16-20, and 67-68.

For example, claim 1 recites, among other things:

1. A system for providing a collaborative workspace for sharing data, comprising . . .

a site builder for creating a dedicated site on said server in response to said initiate instruction, said dedicated site defining said collaborative workspace . . .

a communicator for transmitting said shared data (a) between said dedicated site and said primary user and (b) between said dedicated site and said at least one secondary user, said shared data being shared through said dedicated site in accordance with said hierarchy between;

memory for storing said shared data associated with said dedicated site, said shared data from said primary and said at least one secondary user. (emphasis added)

The present invention as defined in claim 1 is directed to a system for providing a collaborative workspace for sharing data in which, among other things, said shared data, which is the useful content of the workspace, is centrally accessible by the users through the dedicated site, which defines the collaborative workspace. Such shared data can for example include document files, databases, logs, or other workspace content accessible to the users from the dedicated site. As discussed in the examiner interview, Jiang and Aras are both directed to chat-type network communications. Jiang and Aras, neither individually or in combination show or suggest a system that includes the "shared data" feature of claim 1. In support, Applicants submit the attached Declaration of John E. MacCriskin as evidence of the patentability of claim 1 over Jiang and Aras, at least on the basis of the "shared data" feature of claim 1.

Independent claims 17, 19, 20, and 67-68 are also allowable at least on the same basis as provided herein. Claims 2, 4-11, 16, and 18, which depend from

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either base claim 1 or 17, are also not obvious at least for the reasons provided herein for the non-obviousness of claims 1 and 17 in view of Jiang and Aras.

In the Office Action, claims 12, 13, and 15 are rejected as being obvious in view of the combination of Jiang, Aras, and Sammon and claim 14 is rejected as being obvious in view of the combination of Jiang, Aras, Sammon, and Pinard. Claims 12, 13, and 15, which depend from base claim 1, and claim 14, which was previously amended to include all the features of claim 1, are not obvious at least for the reasons provided herein for the non-obviousness of claim 1.

VI. Other Remarks

As mentioned and identified during the examiner interview, Applicant requests that a copy of the initialed Form 1449 filed on December 3, 2003 be mailed to the Applicant. Applicant's records do not reflect that this Form 1449 was ever received.

VII. Conclusion

For the foregoing reasons, applicant submits that all of the claims are patentable over the cited art and respectfully requests reconsideration and an early indication of allowance. The Examiner is invited to contact the undersigned if any additional information is required.

Respectfully submitted,

date

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